

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEWAYNE JACKSON,)	
Petitioner,)	
)	
vs)	Civil Action No. 09-1063
)	
RAYMOND M. LAWLER, et al.,)	
Respondents.)	

ORDER

AND NOW, this 23rd day of December, 2009, after the petitioner Dewayne Jackson ("petitioner"), filed a petition for writ of habeas corpus, and after a Report and Recommendation was filed by the United States magistrate judge granting the parties thirteen days after being served with a copy to file written objections thereto, and upon careful review and consideration of (1) the objections filed by the petitioner, which raise the same issues of ineffective assistance of counsel and prosecutorial misconduct that were adequately and appropriately addressed in the Report and Recommendation, (2) the petition and the record and (3) the magistrate judge's Report and Recommendation (Docket No. 18), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for writ of habeas corpus filed by petitioner (Docket No. 1) is dismissed and a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P .

/s/ Joy Flowers Conti
United States District Judge